THE COURTS.

Ingersoll and Farrington Sentenced.

The Great "Ring" Chairmaker Sent Five Years to State Prison and His "Tool" Farrington a Year and a Half.

FOLEY'S INJUNCTION

Irregularities Charged Against the Comptroller and City Chamberlain.

SPECIAL SESSIONS JUDGES.

Case Sent for Argument to the Court of Appeals.

James H. Ingersoll and John D. Farrington, Jr., convicted in the Court of Oyer and Terminer on Wednesday, were yesterday brought before Judge Davis, in the same Court, for sentence. He sentenced the former to State Prison for five years and the latter for one year and a half. Their counsel at once set to work to obtain a stay of proceed ings in the case. It is believed, however, that the order of the day in the Courts will be railroading the "Ring" to State Prison with all possible celer ity and no drawbacks.

Mr. John Foley succeeded in getting a hearing yesterday in Supreme Court, Chambers, before Judge Fancher, on his application for an injunction against the Comptroller and City Chamberlain. The irregularities which be charges against these officials and the nature of the injunction be asks for will be found fully set forth in the report elsewhere of the argument had in the case.

The question raised in the courts as to the right of the newly appointed Police Justices to hold the Court of Special Sessions was vesterday brought before the Supreme Court, General Term. As a matter of favor, and to enable a speedy decision upon this important question, the judgment in the lower Court, from which the appeal was taken. Court of Appeals.

The case of Sharkey was called yesterday in the Supreme Court, General Term, the argument upon the motion for a stay of proceedings having been set down for argument then. No counsel responded, and the case was ordered to go over till

In the United States District Court, Judge Blatchford yesterday granted an order empowering Abram S. Hewitt, as receiver of the New York and Oswego Midland Railway Company, to sell, by public auction, after the same has been duly advertised according to law, the pier at the foot of Vesey street, with the buildings thereon.

James Gallaher, Mary Doolin, Ann Riley and Peter Dailey, who had been charged with seiling whiskey without paying the special tax, were discharged yesterday on their own recognizances by

Commissioner Davenport.

Benjamin P. Todd, a boot and shoe maker. who had done business at 444 Grand street, filed his voiuntary petition in bankruptcy yesterday, in the United States District Court. The case has been referred by the Court to Mr. John Fitch, one of the registers. As the ices in matters of this kind are heavy Mr. Todd has concluded to be his own counsel and conduct his own case.

In the United States Circuit Court yesterday, in the matter of the Union Paper Bag Machine Company against George L. Newell and G. H. Mailory, Judge Blatchford granted a special injunction, restrain ing the defendants from using the plaintiff's patent bag machine. The arguments in the case were conducted by George Harding, of Philadelphia, for the Paper Bag Company, and by M. P. Norton for

Newell and Mallory.
Yesterday, in the United States District Court, the case of The United States vs. Maurice Joseph and Frederick Maurice Joseph was concluded before Judge Blatchford and a jury. It was an action brought by the government for the purpose of condemning four diamond rings, three diamond studs and one uncut diamond, of the value of about \$6,000, on the ground that they had been smuggled into the country by the claimants, who are jewellers in Birmingham, England. There was

Frank L. Taintor, who had been convicted at secent term of the United States Circuit Court of embezzling \$425,000, the property of the Atlantic National Bank, of which establishment he had been eashier, will be sentenced to-day by Judge Bene-

ation yesterday, through their attorneys, Messrs. Thompson and Van Wyck, filed a petition in the United States District Court to have themselves

adjudicated voluntary bankrupts.
William Parker was committed yesterday for examination by Commissioner Osborn on a charge of having deserted from the American ship Cascadilla, after having shipped as second mate on board that vessel for a voyage to Cuba.

The books and papers of Vantine & Co., import ers. No. 814 Broadway, have been seized for alleged undervaluation of 20 per cent in the importation of goods. The books and papers of Napier & Co., No. 65 White street, have also been seized for alleged undervaluation of 10 per cent on importations.

RAILROADING THE RING.

Two More Victims of the Judicial Guillotine-Ingersoll Sentenced to State Prison for Five Years and Farrington One Year and Six Months.

A large crowd, eager to see the final scene in the trial of James U. Ingersoll and John D. Farrington, Jr., assembled at eleven A. M. yesterday in the Court of Oyer and Terminer. At the appointed hour the great chairmaker and his quondam clerk came into court in charge of two deputy sheriffs. They shook hands with their counsel and put on the appearance of being in pretty good spirits; but it was very easy to see through the

nimsy gauze. EXAMINATION OF INGERSOLL. Directly after Judge Davis had taken his seat on the bench Mr. Sparks, the Clerk, asked the prison-

ers to rise, which they did. "Did you ever learn any mechanical trade ?" he

"No, sir," was the prompt response, though uttered in a low tone.
"What have you now to say why judgment of the Court should not be pronounced, according to law?" pursued the Clerk.

EXCULPATING PARRINGTON. Mr. Root said he was directed by Mr. Ingersoll to say, as matter of justice to Farrington and to say, as matter of justice to Farrington and matter of knowledge on the part of Mr. Ingersoll, that Farrington did not write any signatures to this this or warrant, and was entirely ignorant of all steps taken in relation to it after the bill was made out. He therefore suggested that sentence on Farrington be suspended.

Mr. Fullerton added that Farrington had never profited by the bill, and had no knowledge of the business of the firm sufficient to inform him of the fact that this was fraudulent except by inference.

Judge Davis said this would operate to mitigate

Judge Davis said this would operate to mitigate Farrington's sentence.

Mr. Ingersoil said nothing in his own behalf,
SENTENCE OF INGERSOLL.

Judge Davis now proceeded to pass sentence upon Ingersoil, as follows:—Ingersoil, it has often devolved upon me, in the course of many years' administration of the judicial office, to pronounce gentence upon convicted criminals, and often times on men who, under certain emotions of passion had committed crimes, or were driven by great privation, or in danger by poverty or absolute want, to commit crimes affecting property; and I have always felt in such cases that while the law must be administered for the protection of society, yet the Judge was at liberty, in consideration of the weakness of human nature, to be as lenient as a proper sense of justice would permit. But your crime was of a very different grade. You were appointed to a But your crime was of a very different grade. You were appointed to a VERY IMPORTANT PUBLIC OFFICE.

You were made a Commissioner of the Court House

of this county, and you took a solemn oath to support the constitution of your country and your state and to be lathful in the discharge of the duties of your office, accerding to the best of your ability. By accepting the office you entered into a contract with the people of your country that you would, to the best of your ability, protect them against great wrongs and frauds, and you solemnized that contract by an oath. The violation of that oath, it is true, does not involve in law the crime of perjury; but in sound morality it is a violation of it in the sight of God and man. How did you perform that contract and keep that oath, instead of protecting the people from plunder you yourself became a plunderer, united with others, as appeared before the Court in the evidence in another case, in the greatest scheme of plunder ever known in this or, perhaps, in any other country. From the evidence laid before the Court in the case of Tweed you appear to have been the recipient, through charges laid against the country for the County Court House, of \$3.841,391 fs, out of which you turned over to Woodward \$1,517,467 49, leaving apparently in your hands of county funds over \$1,000,763 21. Of this fact the Court cannot fall to take notice; not for any purpose affecting the question of your guilt, but as affecting your connection with the Enormous Fracus on the Courty that have been perpetrated. What was the character of your crime? Instead of being always, what you promised, ready to protect the county and to perform the duties you undertook to discharge, you deliberately, as appears in this case, caused to be prepared a claim against the county which had little or no just foundation in fact; you prepared it in the name of a long extinct coparturers in the interestion of your being president of the latter should develon

prepared it in the name of a long extinct copartuership, not daring to put your own name on your own own into took association to it, lest the fact of your being president of the latter should develop its true character, and then you carried out the scheme through the various stages, until finally the warrant had been procured and the money you endorsed upon the warrant the name of the firm by whose name you obtained that account, and thus committed the crime of forgery. The crime thus committed does not stand by itself, but involves the crime of moral perjury or the violating of your official oath, and the crime of fraud in fabricating an account which had no real existence, and obtaining the money under false pretences by that course of conduct to which I have adverted and as a necessary step in the progress of the offence, you were necessarily obliged to commit

progress of the offence, you were necessarily obliged to commit

THE CRIME OF FORGERY,
upon which, by the facts before the Court, the law was able to lay its hands upon you. But looking at the whole thing and surveying the whole course of your conduct in respect to the single transaction there is that degree of deliberation, consideration and preparation that there could be no two opinions as to the justice of your conviction and the sentence to be pronounced upon you. We are very unfortunate in this State in not having laws that enable courts to properly punish crimes of this character; I mean, not forgery, but crimes that officers commit in violation of official duty, involving, of necessity, moral perjury, and involving deliberation and intent. We are, as I said, very unfortunate in not having laws adequate to punish that class of crimes. I trust another legislature will not pass through its session without enacting laws to preserve official purity and to levy penalties against crimes such as this. All the Court can do in your case is to

MAKE AN EXAMPLE OF YOU

to the extent the statute permits. It seems a very small penalty, considering the character of the crime. You occupy a good position in society; your friends and relatives, as I am informed, are not only respectable but estimable citizens of this community. You have a wire whom the Court pities, tenderly pities, under this terrible calamity. You have friends who will feel this blow more deeply, perhaps, than you do; but even they, in the hours of their deepest agony, must admit the justice of the law and the sentence pronounced upon you. The sentence is, that you be imprisoned in the Prison at Sing

the sentence pronounced upon you. The sentence is, that you be imprisoned in the Prison at Sing Sing at hard labor for the term of five years, which is the utmost penalty that the statute permits the Court to inflict.

sing at hard labor for the term of five years, which is the utmost penalty that the statute permits the Court to inflich.

I am very glad that the prisoner jointly convicted with you has had the manhood to admit what seems to me he ought to have admitted in the progress of this trial, and thus, perhaps, have saved you from conviction. I am glad of it because it enables me to do what I contemplated doing—making a distinction between your sentence and his. You do not appear to have been, so far as any evidence discloses, otherwise connected with the great frauds committed against the county of New York than as disclosed by this single transaction. Nothing in the case shows that you ever received any of the money that was obtaining which the crime of forgery was committed. What does appear to the Court, however, is this—that you were in the employ of Ingersoil, a tool of his, and altogther subject to his control; that you were willing to do his bidding, to serve his interests; and when this account of \$15,000 against the county was made out you knew, according to your own statement, its feal character—that it was a fraud; that it was made out without the existence of any substantial claim, if any claim whatever; and was largely increased. You are guilty, therefore, of participation in the fraud, even if you did not follow the matter further and did not participate in the subsequent steps which the Court held to be forgery. Now, I have taken into consideration the lact of your relation to this transaction, which is very different from that of Ingersoil, and I am determined to dimmiss your sentence very considerably in view of that lact. It may be true, as now stated, that you didn't participate in the actual making up of the endorsement and with that moral crime of forgery standing by isseif, that you were not a party to the transaction upon which the crime is totally inadequate to be offered, and it seems scarcely consistent with the fitness of tings that, if the principal can only be pumished for so limited a per permits to be meted out to the principal under the crime is totally inadequate to his offence, and it seems scarcely consistent with the fitness of tings that, if the principal can only be punished for so limited a period, your sentence should be equally severe as his. I shall, on that ground, make a distinction, and shall make a serious difference, in order that, while the punishment may be adequate to your offence, it may restore to you the fullest opportunity, after the time shall have expired, to redeem yourself and regain your standing in society by a career in the future of honesty and integrity. I would not be thus lenkent if I thought you were a guilty participant in the proceeds of the fraud, or if I thought you had connection with those transactions beyond what appeared in the trial. There was a conflict of testimony whether you actually signed the name of Heath & Smith, but I think the jury were right in what they did, and, in fact, could not have done otherwise. The sentence of the Court is that you be imprisoned in the prison at Sing Sing, at hard labor, for the term of one year and six months.

AFTER THE SENTENCE.

The two prisoners, soon after being sentenced, were taken in charge by Order of Arrest Clerk Judson Jarvis. After they had partaken of a hearty meal, Mr. Jarvis took them to the Tombs, where they will remain until transferred to State Prison, which will be in a day or two as soon as they have "arrranged their business affairs." It is the general opinion that Farrington made out the bill of Hems against the Court House by his order, and had nothing to the statement made by Ingersoil vesterday that Farrington made out the bill of Hems against the Court House by his order, and had nothing to do with the forging of fleath & Smith's name. Late yesterday afternoon Mr. Root, one of Farrington's counsel, was sent for by Mr. Tremain, and a long interview between the two was the result.

Saray of Proceedings.

Searcely had the prisoners been taken from the building when their counsel went in to s

FOLEY'S LAST INJUNCTION.

The Charges of Irregularity Against the Comptroller and City Chamberlain-Alleged Violation of the Charter in Drawing City Checks and Payment of

Various Clerks.
At length, after several adjournments, the application of Mr. John Foley for an injunction against the Comptroller and City Chamberlain was argued yesterday in Supreme Court, Chambers, before Judge Fancher. For Mr. Foley there appeared Messrs. A. R. Dyett and Oliver W. West, and for the Comptroller Corporation Counsel A. Delafield

Smith and ex-Judge Beebe.

Mr. Dyett in opening his argument said that the public spirited citizen who asks this injunction is the same one who, single handed obtained, the celebrated injunction against the Ring, and spreading dismay and confusion among the conspirators caused: it to come to grief, and led surely to the catastrophe of the mighty chieftain who to-day is a prisoner and a convict, with none so poor to do him reverence. It was Mr. John Foley who, by a second injunction, exposed and stayed the waste of the city funds by a former Chamberlain, who kept in his private account the interest on the deposits and competied the banks to yield up the enormous profits they were making from those deposits, calling public attention so closely to these abuses calling public attention so closely to these abuses that the provisions of the present charter in question here were inserted in it. And, as a fathful sentinel, he for the third time sounds the alarm and asks that it he heeded. After this preface he proceeded to say that Mr. Foley brings this action under the Laws of 1872, entitled, "An act for the protection of taxpayers against the frauds, embezziements and wrongful acts of public officers and agents," passed April 2, 1872. The new charter, passed April 20, 1873—section 33 of said act creates "a bureau for the reception of all moneys paid into the trassury of the city, and for the payment of money on warrants drawn by the Comptroller and countersigned by the Mayor; the chief officer of

which shall be called the "Chamberlain." Section 24 says that "the Chamberlain shall receive all moneys which shall from time to time be paid into the treasury of the city; he shall deposit all moneys which shall come into his hands in such banks and trust companies as shall have been designated as deposit banks by the Chamberlain and Mayor jointly." The money so deposited shall be placed to the account of the Chamberlain. The Chamberlain shall pay all warrants drawn on the treasury by the Comptroller and countersigned by the Mayor, and no money shall be paid out of the treasury except on the warrant of the Comptroller so countersigned. It further says that "the Chamberlain shall not draw any moneys from said banks or trust companies, unless by checks subscribed by him as Chamberlain, and countersigned by the Comptroller; and no moneys shall be paid by either of the said banks or trust companies on account of the treasury, except upon such checks." The Chamberlain shall receive \$30,000 annually, and no more, for all his services and for such clerks and assistants as may be necessary, whose salaries, together with all the expenses of his office, shall be paid wholly by him, and shall in no case be a public charge. By the foregoing provisions of law the powers and duties of the respective defendants as Comptroller and Chamberlain are clearly stated and set forth. It is the duty of the Comptroller, upon a claim against the city being properly audited and certified, to draw his warrant for the amount, which warrant, being countersigned by the Mayor, is to be delivered to the Chamberlain, whose duty it then is—provided there is an appropriation to meet the same and the drawing of the warrant is anthorized by law—to pay the amount thereof by drawing the sum required for this purpose from one of the depository banks or trust companies. amount thereof by drawing the sum required for this purpose from one of the depository banks or trust companies, oy and upon a check or checks signed by the Comptroller and the said provisions of law as to the drawing of money from paying any moneys on account of the city except upon such checks. He insisted that the said provisions of law as to the drawing of money from the depository banks are wholly disregarded by the Comptroller and City Chamberlain; that the warrants drawn by the Comptroller and countersigned by the Mayor are the sole authority upon which the depository banks and trust companies have, since the said 30th day of April, 1873, with the assent and concurrence of both defendants, paid and now pay to the creditors of the city the amounts specified in such warrants respectively, without any check of or by the said disorre W. Lanc, as such Chamberlain, as required by the thirty-fourth section on the act of presented to and are of the said provisions, of law, the delendants acting collusively, have, since the 30th day of April, 1873, so arranged that various charges and expenses connected with payments by or on behalf of the Corporation are borne and manually for his services and that of his deputy, and all other clerks and assistants as may be necessary, together with all the expenses of his office, but through the Comptoller and his appointees and at the expense of this office, but through the Comptoller and his appointees and at the expense of this office, in the Financial Department, further land his assistants consist wholly in making payments on behalf of said corporation, and appear and solely to the Finance Department, the chamberlain, and are such as of right ought to be performed by the Comptroller as appointed and sole, and the comptoller and his assistants, there is also paid add fails, out of contingency of the financial Department, which is designated by him and his assistants consist wholly in making payments on behalf of said corporation, and appear and out of the \$30,000 paid to th

Judge Fancher, at the conclusion of the argument, which, notwithstanding its being long protracted, he listened to with patience to the end, took the papers on both sides, reserving his deci-

THE SPECIAL SESSIONS IMBROGLIO.

Right of the Newly Appointed Police Justices to Hold the Special Sessions-The Case Sent to the Court of Appeals.

At the meeting of the Supreme Court, General Term, yesterday-Judges Ingraham, Brady and Barrett on the Bench-there was a large crowd in attendance to hear the argument as to the right of the newly appointed Police Justices to hold the Court of Special Sessions. The case, as will be remembered, came before this Court on a writ of certiorari sued out on behalf of Bernard Wangler, who, notwithstanding the objection interposed by Mr. William F. Howe, his counsel, that the act under which the Judges holding the Special Sessions claimed to hold the Court, was tried by them, convicted and

sentenced to a term of imprisonment.

Assistant District Attorney Allen, on the case being called, asked first its postponement, on the ground that, owing to the pressing nature of his ther duties, he had not had time to prepare an argument, and this objection being overruled he nsisted that the matter was not properly before

Mr. Howe insisted that the proceedings were en-

argument, and this objection being overrujed he insisted that the matter was not properly before the Court.

Mr. Howe insisted that the proceedings were entirely regular, and asked the Court to either hear the argument, as he was confident that his position would be sustained, and that it was clearly evident that the newly appointed Police Justices, who held their positions through nomination by the Mayor and confirmation of the Board of Aldermen, could not hold a county court, or that the General Term should, in view of the paramount importance of this great question, affirm the judgment in order that the cause might be carried at once to the Court of Appeais. He added, further, that it was most essential for the interests of the public that a decision should be at once rendered in order that it could be known whether the thousands of prisoners now being tried before the Court of Special Sessions were or were not legally convicted.

After brief consultation Judge Ingraham stated that in consequence of the extreme urgency of the question involved the Court had concluded to adopt Mr. Howe's latter suggestion, and would affirm the conviction, so that the case might be speedily passed upon by the nighest tribunal of the State.

On the rendition of this decision Mr. Howe at once filed the necessary papers, and the case will in all probability be heard at the present term of the Court of Appeais. Mr. Howe's points are that the act of May 17, 1873, is unconstitutional, because it takes from the people the power to elect the Police Justices, and confers the power of appointment on the Mayor; that if Police Justices be Justices of the Peace, within the constitutional provision, then the act is unconstitutional provision, then the amended judiciary article took effect. Viz., January 1, 1870-18 destroyed before its expiration, which is a violation of the twenty-lith section of the constitution; that prior to and when the amended judiciary article took effect. Ourts of Special Sessions is continued, and the Judgest there

New York. Police Courts are one thing; Courts of Special Sessions of the Peace are another. Under a title referring to Police Courts there can be no legislation as to Courts or Special Sessions. The Act of 1858, which originally conferred the power on Police Justices to sit in the Sessions, was an act exclusively in regard to the Court of Sessions, providing by whom it should be held, and authorizing the appointment of a cierk, &c. But the present act relates not only to Police Courts, according to its title, but to Courts of Sessions not embraced within its title and not permitted by the constitution.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT-SENERAL TERM. The Comptroller and the Board of Supervisors.

Before Judges Ingraham, Brady and Barrett. In this Court the long-discussed question, What, if any, powers has the Finance Department over the Board of Supervisors? has been substantially answered in favor of the Board by opinions in Martin B. Brown vs. The Comptroller. These cases were argued two terms ago by A. Oakey Hall for Brown, and Delafield Smith for the Comptroler. The opinions are very long, but their conclusions can be briefly stated. The Board acts indicially and without appeal upon amounts provided it has statutory jurisdiction. The Comptroller cannot reduce nor increase the amounts. He is simply to inquire into the jurisdiction, and if this be clear, then to collate the vouchers without disturbing amounts. His duty is clerical and ministerial only. The decision relieves Mr. Green of a great deal of assumed responsibility. One of the Brown cases the Board had jurisdiction over in supplies of stationery furnished to the Register and after the Auditor shall examine the vouchers, the amount ordered by the Board must be paid. In the other Brown case the supplies were for the Sheriff, and the Court decides that the Board of Supervisors was without jurisdiction, because sheriffs must pay for their own stationery out of office fees. The decision affects some thirty or forty pending suits upon Supervisor audits. But it is understood Mr. Green will appeal to the Court of Appeals, and there endeavor to sustain his ideas of exercising a discretionary supervision over the amounts which the Supervisors audit. the Comptroller. The opinions are very long,

SUPPEME COURT-CHAMBERS.

Decisions.

By Judge Barrett.

In the Matter of Various Applications to Vacate Assessments.—The papers in some forty applications to vacate assessment are returned to the Clerk, for the purpose of enabling counsel to comply with the rules, &c. First, all such applications must be placed on the regular first and third Monday calendar of the Court, &c. See memorandum of Mr. Justice Barrett.

The People, &c., Connell vs. Green and 12 Other Cases.—Orders signed,
In the Matter of the Application of Burkhalter and Others.—See memorandum.

Simpkins vs. Low.—Motion denied, without costs, &c.

Miler vs. Bowles.—The prayer of the petition must be granted.

costs, &c.

Miller vs. Bowles.—The prayer of the petition
must be granted.

Marshail vs. Hammond.—Motion granted, with

Marshail vs. Hammond.—Motion granted, with \$10 costs.
Schiffen vs. Ferris et al.—Motion granted.
Gilbert vs. Webster.—Motion to modily order, &c., must be granted.
Coe vs. Hobby.—Motion to compel payment. &c., denied without costs; motion to place cause on special circuit calendar granted.
New York, Utica and ogdensburg Railroad Company et al. vs. Cummins.—Motion to continue injunction granted, with \$10 costs, to abide the event.

By Judge Fancher.

By Judge Fancher.

In the matter, &c., of Martin.—Motion granted.

In the matter, &c., of Martin.—Petition granted.

In the matter, &c., of Pacey—Sands vs. McGovern et al.—Petitions granted.

In the matter, &c., of Pacey—Sands vs. McGovern et al.—Petitions granted.

Linneman et al. vs. Lagrave.—The motion in the three cases must be granted.

Mutual Life Insurance Company vs. Salem et al.—The referee's report as to the second mortgage is erroneous and the exception thereto sustained.

Myers vs. Jones.—The order is not in accordance with the decision.

Thomas vs. McEntee et al., in the matter, to

with the decision.

Thomas vs. McEntee et al., in the matter, &c., Home Flax Company.—Motion granted and receivers appointed.

Chishoim vs. Farrell, et al.—Report confirmed and order granted to pay money, &c.

In the matter. &c., of Whitney.—Report confirmed and order granted.

Piolgraf vs. Piolgraf.—Report confirmed and judgment of divorce granted. Custody of child awarded to plaintiff.

By Judge Ingraham. By Judge Ingraham.
Whittle vs. Whittle.—Same decision.

> SUPERIOR COURT-3PECIAL TERM. Decisions.

By Judge Sedgwick.

Corley and Another vs. Griffin.—Motion denied.

Weish vs. Swift.—Motion granted.

Hoppe vs. Hoppe.—Order of reference.

Benwick vs. Daie.—Order that plaintiff have an additional allowance of five per cent upon recov-

additional allowance of the per can apoli recory.

Fitzgerald vs. Valentine: Bick et al. vs. Niebuhr et al.; Kittle vs. Van Arsdale; O'Donnell vs. Lindsay and Another; Kelly and Another vs. Perguson; New York Guaranty Company vs. Rolston et al.—Orders granted.

Alexander vs. Oddle.—Pike vs. Lent (4th Sand 650) does not support the application that defendant in his case should give ball for appearance.—Motion granted. Motion granted.

Baker vs. Clarke et al.—The plaintiff should file a new bond in same amount to the defendants and each of them.

COURT OF COMMON PLEAS-SPECIAL TERM.

Decisions.

By Judge Larremore.
Foster vs. Foster.—Reference order.
Lenihan vs. Garvey.—Motion granted on payment of all costs and disbursements incurred to

late. Feitner vs. Hallett.—Motion to vacate order of arrest denied. Bail reduced to \$500.

Northwestern Express Company vs. Lorntman.—
Motion granted on payment of \$10 costs and disbursements; cause to be tried on December 19,

In the Matter, &c., Repplier.—See memorandum.
By Judge J. P. Daly.
Barnes et al. vs. Mott et al.—Order signed.
The Pople, &c., New York vs. Ahern.—Application

denied.

The People, &c., New York vs. Golden and Another.—See opinion.

HARLEM POLICE COURT. A Chronic Wife Beater.

William Dean, of 112th street, was yesterday arraigned before Judge Kasmire charged with beating his wife, Margaret, and also with assaulting William John, of 334 East Sixtieth street, who interfered in behalf of the long suffering wife. Dean was committed to answer in default of \$500 bail on each charge. The accused has repeatedly served terms of imprisonment for the same offence, the records of the Court showing that Judge McQuade had many times committed him to the Island on the same charge.

Grand Larceny. Mrs. Mary Hudson, of No. 2,195 Third avenue caused the arrest of a young woman named Eva Eichenbecker, of the same number, charging her with stealing from her apartments a pocketbook containing \$70. Mrs. Harriet Holland, milliner, of containing \$70. Mrs. Harriet Holland, milliner, of 2,254 Third avenue, also preferred a charge of larceny against the accused, she having, it is alieged, stolen a quantity of leathers and ribbons from the complainant's store. When arrested a number of the articles taken were found in her possession. On the first charge the accused was held for trial at General Sessions, in default of \$500 ball, and on the second in \$300.

BROOKLYN COURTS.

SUPREME COURT-SPECIAL TERM. The Prospect Park Assessments-Impor-

tant Decision by Judge Gilbert. Yesterday morning Judge Gilbert rendered an important decision "in the matter of an assessment for the benefit of lands outside of Prospect Park, which lands are benefited by the opening of the said Park, made in pursuance of an act entitled

Park, which lands are benefited by the opening of the said Park, made in pursuance of an act entitled 'An act for the further extension of Prospect Park," &c. The case was reported in the Herald at the time the arguments of the Flatbush opponents were heard by Judge Gilbert. Below will be found the Judge's decision:—

On reading and filing a report in writing in the above entitled matter made by Teums G. Bergen, Crawford C. Smith, Henry W. Siocum, Henry C. Murphy, Jr., and Edwin K. Scranton, Commissioners of Assessment, duly appointed by this Court, which report is embraced in these several volumes dated the 50th day of September, 1873, and is accompanied by three volumes of maps of the property intended to be covered by the said assessment with the additional report of the said commissioners, dated the 50th day of Cotober, 1873, and Enming part of the said assessment report of the said commissioners, dated the 50th day of Cotober, 1874, and Enming part of the said assessment report of the said assessment with the additional report of the said commissioners, dated the 50th day of Cotober, 1875, and Enming part of the said assessment report of the said assessment report of the said assessment as the same and premises outside of Prospect Park in the city of Brookityn as they decided by the benefitted by the opening of said park in proportion to the benefit received by such lands and premises from such opening, and have, in all respects, complied with the provisions of the act above reterred to, by which report also it appears that the whole amount of the said assessment is \$1,63,372, and that a portion of the said amount, to wit: the sum of \$343,773 has been laid and assessed upon property in the town of Flatbush, and after reading sand fiting affidavits showing the due publication in all the daily newspapers printed and published in the city of Brookivn of notice of a meeting of said Commissioners to hear objections to said report and to review and correct the same, and on reading and diling affidavits showing t

B. Lott. Cornella L. Brown and Nary Story, Gov. of John C. Bergen, deceased Abraham Lott and trustees of the Bergen, deceased Abraham Lott and trustees of the Bergen, deceased Church of the town of ride B. Lott. Cornelia L. Brown and Mary Story, consisces of John C. Bergen, deceased, Abraham Lott and the trustees of the Retormed Church of the town of Flatbush. Mr. E. F. Hyde. Attorney and Counsel for Samuel B. Daryca, Chittenden and Piero, atforneys and counsel for Criel A. Murdock, Simeon B. Chittenden and William H. Taylor and Charles Jones. Esq. attorney and counsel for Joseph T. White and Robert S. Walker, and rhill S. Crooke, attorney and counsel for B. Huckley, and many other owners of land in the town of Flatbush, who object to the laying of such assessment in said town, and upon filing written objections on the part of the several objectors. It is ordered that the said report, so far as if relates to an assessment upon lands and premises they within the city of Brooklyn, and is contained in the first two volumes of the said report, and the maps filustrating the same, amounting in the aggregate to \$1.256,655, be and the said report, and the maps filustrating the same, amounting in the aggregate to \$1.256,655, be and the said report, and construed, but be said report as is intended to lay an assessment upon property in the town of Flatbush, and is contained in the third volume of the said report, be not confirmed, but be sat aside and held for maught.

A Judge Who was Not Paid his Salary. A Judge Who was Not Paid his Salary

City Judge Pierce, of Long Island City, not hav. ing received his salary for five mouths, yesterday applied to Judge Gilbert for a mandamus to compet the Mayor of that city to draw a warrant in his favor for the amount due. Opposition was made favor for the amount due. Opposition was made by the Corporation Counsel on the ground that the bill of the Judge must be first audited by the Common Council. The argument revealed a somewhat demoralized state of affairs in the aforesaid common Council. A great deal of difficulty is experienced in getting a quorum together, and on one occasion, in order to secure the requisite number for a business meeting, it was necessary to take one of the members out of the station house and bring him into the Council Chamber.

The Court yesterday granted the mandamus, on the ground that Judge Pierce's bill was audited by the statute itself and any auditing on the part of the Common Council was not necessary.

Before Judge Tappen

UNITED STATES SUPREME COURT.

WASHINGTON, D.C., Nov. 28, 1873. No. 121, Willett's Executors vs. Fister—Appeal from the Supreme Court of the District of Columbia. This was a bill to set aside a judgment confessed by Fister to Willett, deceased, on the ground that he had not been credited with \$1,500 which he paid to Willett on the account before confession of judgment. The decree was for Fister, and the case here presents only the question whether the evidence below established his claim to the credit alleged. Fendall, Durant and Homer, for appellants, Jugle & Webb, for Appellee.

No. 123. Fraser vs. Prepeller Wenona-Appeal from the Circuit Court for the Northern District of New York.—This libel was to recover damages sustained by a collision between the schooner Fremont and the propeller, on Lake Eric, in November, 1869. The District Court, by its decree, determined that the collision was occasioned solely by the fault of the propeller. The schooner and cargo, consisting of salt, were lost, and the decree awarded damages for their value. The Circuit Court reversed the decree on a question of fact (whether or not the propeller was at fault in the exercise of care when the danger was imminent), holding that the propeller was in no wise at fault, and that the collision was occasioned by the schooner in having bad signal lights and by changing her course contrary to the rule of navigation. The appeal presents the same facts for review. John Ganson for appellant, George B. Hibbard for appellee. mont and the propeller, on Lake Erie, in Novem The Court adjourned until Monday.

THE "OTHER RING THIEVES."

Who Are Next To Be Tried and Probabilities as to the Results-Trembling and Consternation Among the In-

dicted-What Genet Says. The conviction of Ingersoil and his clerk, Farrington, has at last compelled the remaining Ring robbers to talk less boldly as to their anxiety to be tried. They, one and all, feel that the matter is no longer a joke, and that to be put on trial does not mean an almost certain disagreement of a befogged, not to say purchased, jury. Indeed, judging from the way they now look at the success of the District Attorney in his prosecution of the thieves and their abettors, an unsophisticated person would be led to believe that the jury in both Tweed's and Ingersoli's case were pledged to convict the accused when they

"I tell you what it is," said one of the unfortunate individuals who is now under indictment to a HERALD reporter yesterday, "things begin to look bad, and, for my part, I don't think there's a square deal at all for anybody who's been in-

DON'T LIKE THE OUTLOOK. "There's a kind of a scare going round; so that when a fellow's put on a jury and some one is charged with naving been one of the Ring is arraigned he (the juryman) thinks if he doesn't convict he'll get arrested for bribery. or at least get the name of one who was bribed. This, I say, is rough. It 'aint fair and it's not justice. Why, I knew a man who said to me this morning that if he was even suspected of being connected with the Ring frauds and was under ball, he'd leave the country at once," and as the reporter's interlocutor uttered these words he gave him a look that was full of meaning.

"And what about yourself?" was the reporter's

gave him a look that was full of meaning.

"And what about yoursell?" was the reporter's query.

"Weii," came the reply, "I am under bail, and I am charged with doing things that I never did. With a fair jury I would have no fears, but with a jury intimidated beforehand to convict—what chance can anybody have?"

"Then go you mean to follow your friend's advice and leave the country?"

"That's rather a blunt question."

"But a fair one."

"I am ready to go to trial and will stand my chances. If I should run away people would say I was like Cook and Woodward, and "slid' because I was guitty. Pin innocent, and with fair play I'll come out all right."

ANXIETY TO BE DEALT WITH PROPERLY.

It will be seen by this conversation that the indicted party referred to does not talk with that boidness that nearly all the Ring men assumed before the "Boss" last trial. In fact, a change has come o'er the spirit of the dreams of the remaining members of the old circle of fraternal pap and profit, and it is now more than probable that when the next trial comes on a few persons whose presence is an absolute necessity to make the trial interesting, as well as legal, will be lound wanting. It should be stated in this connection that Harry Genet is as confident as ever that he can prove that he is not guilty of the charges preferred against him, when he is put on trial. "I am very anxious," he remarked yesterday, "to have the trial come off at once. The District Attorney knows well that I have, through my counsel, repeatedly asked—nay, beseeched—him to put an end to all this talk about my guilt and my irandulent transactions by having me tried immediately. But no; the men who are back of this prosecution, as far as Lam concerned, feel saler and triumph more by having me linger along under their accusations than they would if I was on trial, for the simple reason that then I would be able to show my innocence."

As usual, yesterday the District Attorney and his amisbie assistants refused to state what they in-

than they would if I was on trial, for the simple reason that then I would be able to show my innocence."

As usual, yesterday the District Attorney and his amiable assistants refused to state what they intended to do during the next term of the Oyer and Terminer in relation to the remaining cases. However, the general belief in well informed circles is that Genet is to be placed on trial next, that Comar's trial will follow, and that Mike Norton's and Walish's—the other two Court House Commissioners under indictment—will be next in order. In relation to Genet's anxiety to be tried, one of the District Attorney's officials yesterday remarked to a Herald reporter:—"I have no doubt that he is auxious, but I think he dissimulates when he says that his anxiety proceeds solely from his desire to be tried. My opinion is that he gis rather doubtful as to what the result of the trial will be. It is by no means a sure thing for him, and I assure you that he has no idea of the evidence in the possession of the District Attorney conclusively fixing the guilt upon him. His anxiety will soon be relieved, however, and when the trial comes off he will see something that will sour out his hopes very suddenly."

A FRIEND'S PECULIAR SUGGESTIONS.

Mr. Genet was in one of the ante-rooms of the new Court House yesterday when the Judge sentenced Ingersoil and Farrington. An old friend of his, on catching signt of him, went up to him and remarked, rather too frankly, it must be confessed:—

"Don't you think you're putting your head in the

remarked, rather too had been seed in the "Don't you think you're putting your head in the "Don't you think you're putting your head in the

lion's mouth, Harry ?"
"How so ?" queried Genet, in apparent wonderment.
"Why," was his friend's reply, "coming here just at this time when Ingersoil is going up and your case is supposed to be the next in order."
Genet flushed crimson at the words made some angry reply and deliberately turned his back on his friend.

Genet flushed crimson at the words made some angry reply and deliberately turned his back on his friend.

"Well," said the latter, tapping him on the shoulder in a friendly way, as he himself turned to leave, "I don't mean any offence, Harry; but I don't think a man, under present circumstances, shows any courage by staying here to stand trial. I think he shows more by going away." This ended Genet's friend's advice, which was evidently considered insulting by Harry, who left the building in high dudgeon.

A GENERAL GOBBLE OF "RING" ABETTORS.

It is stated, on good authoriry, that after the remaining Court House Commissioners shall have been tried several parties who profited by the Ring's stealings in 1570 and 1571 are to be hauled up on the strength of indictments which, it is said, have aiready been procured against them. It is also given out by well informed parties that evidence is being accumulated every day by persons in the employ of the District Attorney against certain firms and members of firms who had dealings with the Ring, and that the Grand Jury will probably indict them on the strength of this evidence. Certainly there are breakers ahead for many of the abettors of old Tammany.

FIRST SESSION.

Session Commences Monday, Dec. 1, 1873.

LIST OF MEMBERS

Senate.	
Administration in Ro alics—25.	mau-49; opposition to
ALABAMA.	MISSOURL
arra	Term
ap. Senators.	exp. Senators.
77. George Goldthmaite.	1875. Carl Schurz.
79. *Geo. E. Spencer.	1879. Louis V. Bogy.
ARKINGIO	NEBRASKA.
377, Powell Clayton.	1875. Thomas W. Tipton.
579. S. W. Dorsey.	1877. P. W. Hitchcock.
CALIFORNIA.	NEVADA.
875. Eugene Casserty.	1875. Wm. M. Stewart.
879. Aaron A. Sargent.	1075. WID. M. Stewart.
CONNECTICUT.	1879. John P. Jones.
75. W. A. Buckingham.	NEW HAMPSHIRE.
79. Orris S. Ferry.	1877. Aaron H. Cragin.
DELAWARE.	1879. B. Wadieigh.
	NEW JERSEY.
375. Thomas F. Bayard.	1875. John P. Stockton.
77. Eli Saulsbury.	1877. F.T. Frelinghuysen.
FLORIDA.	NEW YORK.
75. Abijah Gilbert.	1875. Reuben E. Fenton
79. Simon B. Conover.	1879. Roscoe Conkling.
GEORGIA.	NORTH CAPOTINA

1877. John B. Gordon,
1879. John B. Logan,
1879. John Sherman,
1879. John Sherman,
1877. John W. Stermson,
1879. John J. Ingalls,
1877. John W. Stermson,
1879. John J. Ingalls,
1877. John W. Stermson,
1879. John J. Patterson,
1879. W. G. Brownlow,
1879. W. G. Brownlow,
1879. Henry Cooper,
1879. John J. Patterson,
1879. John J. Patterson,
1879. John Sterman,
1879. John Sherman,
1879. J

TENNESSEE,
1875. W. G. Brownlow.
1877. Henry Cooper,
TEXAS.
1875. J. W. Flanagan.
1877. M. C. Hamiiton. MAINE. 1875. Hannibal Hamlin. 1877. Let M. Morrill. MARYLAND.

1875. Wm. T. Hamilton.
1879. George R. Dennis.
MASSACHUSETTS.
1875. Charles Sumner.
1877. Geo. S. Boutwell. vermont. 1875. G. P. Edmunds. 1879. Justin S. Morril Virginia. 1875. John F. Lewis. 1877. John W. Johnst MICHIGAN.
1875. Zacharia Chandler 1875. Arthur J. Boreman.
1877. Thomas W. Ferry.
MINNESOTA.

WISSONSIN.

MINNESOTA. WISCONSIN.
1875. Alexander Ramsey 1875. M. H. Carpenter.
1877. William Windom. 1879. Timothy O. Howe MISSISSIPPI. 1875. Adelbert Ames. 1877. James L. Alcorn. * Seats contested.

[Of those Senators whose terms expire in 1878 Messrs. Brownlow, of Tennessee; Flanagan, of Texas, and Boreman, of West Virginia, will be succeeded by democrats, that party having full con-trol of those States. Of the liberal republicans Carl Schurz will probably be replaced by a democrat, making a gain for the democrats of five United States Senators by the victories of the present year, with the prospect of a democratic successor to Mr. Carpenter from Wis consin. There are four liberal republicans in the Senate-viz., Messrs. Sumner, of Massachusetts; Schurz, of Missouri; Tipton, of Nebraska, and Fenton, of New York-who are classified with the opposition, the balance being democrats.]

Administration in Roman, 193; Opposition in Italies, 93,

ALABAMA.

At Large—Alex. White.

1. Prewk G. Bromberg.

2. James T. Rapier.

3. Charles Pathlem. NEVADA.

1. Chas. W. Kendall.

NEW HAMPSHIER.

1. William B. Smail.

2. Austin F. Pike.

3. Hosea W. Parker. 2. James T. Rapier.
3. Charles Peiham.
4. Charles Hays.
5. John H. Caldwell.
6. Joseph H. Sloss,
Alkansas.
At Large—Wm. J. Hynes.
1. Asa Bodges.
2. Oliver P. Snyder.
3. Thomas M. Ounter. 3. Hosea W. Parker,

1. John W. Hazleton,

2. Samuel A. Dobbins,

3. Amos Clark, Jr.

4. Robert Hamilton,

5. Wm. W. Phelos,

6. Marcus L. Ward,

7. Isaac W. Scudder,

NEW YORK,

At Large—Lyman Tremain,

1. Henry W. Scudder,

2. John G. Schumaker,

3. Stewart L. Woodford,

4. Philip S. Crooke,

5. William R. Roberts,

6. S. S. Cox. 3. Thomas M. Gunter.
CALIFORNIA.
1. Charles Clayton.
2. H. Frank Fage.
3. John K. Luttrell.
4. Sher. O. Houghton.
CONNECTICUT.

connecticut.

1. J. R. Hawley.

2. S. W. Kellogg.

3. H. H. Starkweather.

4. W. H. Barnum. 4. W. H. Barnum.
DELAWARE.
1. James R. Lofland.
FLORIDA.
1. Josiah T. Walls.
2. William J. Purman. 5. William R. Roberts, 6. S. S. Coz. 7. Thomas J. Creamer, 8. John D. Lawson, 9. David B. Melhish, 10. Fernando Wood, 11. Clarkson N. Potter, 12. Charles St. John, 13. John O. Whitehaus 1. Morgan Rawis. 2. Richard H. Whiteley. 3. Philip Cook. 4. Henry R. Harris. 5. James C. Freeman. 6. James H. Biount. 7. Pierce M. B. Young.

James S. Smart.
Robert S. Hale.
William A. Wheeler. Henry H. Hathorne. David Wilbur. Clinton L. Merriam. Ellis H. Roberts. 8. A. H. Stephens. 9. Hiram P. Bell. 1. John B. Rice. Children B. Roberts.
William E. Lansing.
R. Holland Duell.
C. D. MacDougali.
William H. Lamport.
Thomas C. Platt.
Horace B. Smith.
Preeman Clarke.
George G. Hoskins. 10. Wm. H. Ray. 11. Robert M. Knapp. 12. James C. Robinson 13. John McNulta. ORTH CAROLINA. Clinton L. Cobb. Charles R. Thomas Alfred M. Waddell.

OHIO.

Millon Sayler.

Henry B. Banning.

John Q. Smith.

Lewis B. Gunckel.

Charles N. Lamiso Isaac R. Sherwood, Lawrence T. Neal, William Lawrence,

Charles Foster.
Hezeklan S. Bundy.
Hugh J. Jewett.
Milton I. Southard.
John Berry.
Wm. P. Sprague.
Lorenzo Danforth.
L. D. Woodworth.
James Monroe.

18. James Monroe. 19. James A. Garfield. 20. Richard C. Parsons

1. James W. Nesman.
PENSKIVANIA.
At large—G. W. Scofield.
Lemuel Todd.
Chas. Albright
1. Samuel J. Randal.
2. Charles O'Neill.
3. Leonard Myers.
4. Wm. D. Kelley.
5. Alfred C. Harmer.
5. James S. Biery.

James S. Biery. Wash. Townsend.

1. Wash. Townsend.
8. Heister Chymer.
9. A. Herr Smith.
10. John W. Killinger.
11. John B. Storm.
12. Laz. D. Shoemaker.
13. J. D. Strawbridge.
14. John B. Facker.
15. John A. Magee.
16. John Cessna.
17. R. Millon Speer.
18. Sobieski Ross.
19. Carlton B. Curtis.
19. H. L. Richmond.
19. A. Wilson Taylor.
19. James S. Negley.
19. Eben McJunken.
19. Wm S. Moore.

1. James W. Nes

At L.-Godlove S. Orth. 1. Wm. E. Ni 2. Simeon K. 3. Wm S. Hol Jeremiah M. Wilson. John Coburn. Morton C. Hunter. Thomas J. Cason. James M. Tynor.

10 WA.

1. George W. Mc Crary.
2. Aylett R. Cotton.
3. William G. Donnan.
4. Henry O. Pratt.
5. James Wilson. 6. Wm. Loughbridge.
7. John A. Rasson.
8. James W. McDill.
9. Jackson Orr.

KANSAS.

1. David P. Lowe.

2. Stephen A. Cobb.

8. William A. Phillips. 8. William A. Phillips.
KRATUCKY.
1. Edward Crossland.
2. John Young Brown.
3. Charles W. Milliam.
4. William B. Read.
5. Elijah D. Standeford.
6. William E. Arthur.
7. James R. Beck.
8. Millon J. Durham.
9. George M. Adams.
10. John D. Young.
LOUISIANA.

J. T. Thornt 2. J. T. Thornourgh.
3. William Crutchheld,
4. John M. Bright,
5. Horace H. Harrison,
6. W. C. Whitthorne,
7. John D. C. Alking,
9. David A. Nunn,
9. Barbour Lewis,

TEXAS.
At Large—Asa H. Willia Roper Q. Mills
1. William S. Herndon.
2. William P. McLean.